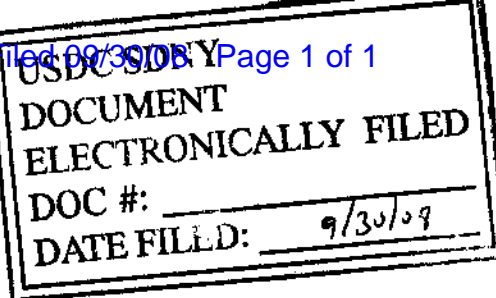


**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

-----X  
IN RE STATE STREET BANK AND TRUST  
CO. ERISA LITIGATION

**07 CIVIL 8488 (RJH)****JUDGMENT**

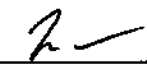
This document relates to:

07 Civ. 8488.  
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State Street having moved to dismiss the complaint pursuant to Fed. R. Civ. P. 12(b)(1) and 12(b)(6), and the matter having come before the Honorable Richard J. Holwell, United States District Judge, and the Court, on September 30, 2008, having rendered its Memorandum Opinion and Order denying State Street's motion to dismiss for lack of standing, denying State Street's motion for summary judgment, and granting State Street's Rule 12(b)(6) motion to dismiss, it is,

**ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Memorandum Opinion and Order dated September 30, 2008, State Street's motion to dismiss for lack of standing is denied; State Street's motion for summary judgment is denied; and State Street's Rule 12(b)(6) motion to dismiss is granted.

**Dated:** New York, New York  
September 30, 2008

**J. MICHAEL McMAHON**\_\_\_\_\_  
**Clerk of Court****BY:**  
\_\_\_\_\_  
**Deputy Clerk**

**THIS DOCUMENT WAS ENTERED  
ON THE DOCKET ON \_\_\_\_\_**